

Message Text

CONFIDENTIAL

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ORIGIN EUR-25

INFO OCT-01 ADP-00 L-03 CIAE-00 DODE-00 PM-07 H-03 INR-10

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-15

ACDA-19 IO-13 MBFR-03 SAJ-01 TRSE-00 /130 R

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FM SECSTATE WASHDC

TO AMEMBASSY BONN PRIORITY

INFO AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION BERLIN

USMISSION NATO

C O N F I D E N T I A L STATE 156808

E.O. 11652: GDS

TAGS: PINT, GW, WB, PFOR, PGOV

SUBJECT: FRG CONSTITUTIONAL COURT DECISION

REFS: A) BONN 11169; B) 10905

1. DEPARTMENT IS OF THE OPINION THAT NO SUBSTANTIVE COMMENT BY ALLIES ON CONSTITUTIONAL COURT'S DECISION NECESSARY OR DESIRABLE, SINCE COURT'S FINDING TAKE ACCOUNT OF ALLIED BERLIN POSITION. WE WISH AVOID ANY SUGGESTION THAT COURT'S JUDGMENT UNDER ACTIVE STUDY BY ALLIES AND SUGGEST THAT "IF-ASKED" PRESS STATEMENT BE REVISED ALONG FOLLOWING LINES: "WE HAVE NO COMMENT ON JUDGMENT. THE ALLIED VIEW OF THE STATUS OF BERLIN OF COURSE HAS BEEN MADE CLEAR ON MANY OCCASIONS IN THE PAST."

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2. IN GENERAL WE CONSIDER FINDING OF FRG CONSTITUTIONAL

COURT A REASSURING DEVELOPMENT WHICH SHOULD HAVE BENEFICIAL
EFFECT IN FRG AND WEST BERLIN. WHILE IT CONCEIVABLE THAT
SOVIETS WILL AT SOME POINT TAKE EXCEPTION TO FINDINGS, WE
BELIEVE THIS IS MATTER BEST DEALT WITH WHEN IT OCCURS. ROGERS

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NNN

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Disposition History: n/a
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30 JUN 2005

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